TABLE OF CONTENTS

SH 2475658

AUDIO VIDEO TRACKING SHEET

PERSONNEL INVESTIGATION FORM

INVESTIGATIVE SUMMARY

INTERVIEW TRANSCRIPTS

1a – Involved Sergeant Anthony Delia (HOM)

1b – Involved Sergeant Anthony Delia (IAB)

2a – Witness Deputy Daniel Rafael (HOM)

2b – Witness Deputy Daniel Rafael (IAB)

2c – Witness Deputy Daniel Rafael (IAB-2)

3a – Witness Sergeant Thomas Inocente (HOM)

3b – Witness Sergeant Thomas Inocente (IAB)

4a – Witness Deputy Jesus Chamorro (HOM)

4b – Witness Deputy Jesus Chamorro (IAB)

5 – Witness Deputy Felipe Alejandre (HOM)

6 – Witness Deputy Matthew Davis (HOM)

7 – Witness Deputy [redacted] (HOM)

8 – Witness Deputy Cory Anderson (HOM)

9 – Witness Deputy Brent Bunch (HOM)

10 – Witness Deputy Nicole Bell (HOM)

11 – Witness [redacted] (HOM)

12 – Witness Donald Aiyedeke (HOM)

13 – Witness Kiah Harper (HOM)

14 – Witnesses [redacted] and [redacted] (HOM)

15a – Suspect Steven Lopez (HOM)

15b – Suspect Steven Lopez (HOM)

EXHIBITS

A One (1) DVD containing LASD Homicide Bureau Casebook, file #019-03454-1122-056, Photos, Radio Traffic, and Call for Service, (LAN19048-0269).

B Los Angeles County District Attorney's Office, Justice System Integrity Division, Letter of Opinion, dated April 12, 2022.

C Consolidated Criminal History Report for Suspect Steven Lopez

D Antelope Valley Hospital Medical paperwork for Suspect Lopez, dated February 17, 2019, and jail medical and behavioral screening forms completed at the time of Suspect Lopez's booking on February 22, 2019.

E Scientific Services Bureau Diagram of the Scene of the Deputy Involved Shooting, dated March 12, 2019.

MISCELLANEOUS DOCUMENTS

Los Angeles County Superior Court Minute Order for Suspect Steven Lopez, Case # MA075802.

Weapons Qualification Report and Training Records for Involved Sergeant Anthony Delia.

Administrative Rights Force/Shooting Investigation Forms.

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 02/17/19	Bureau/Station/Facility: North Patrol / Lancaster	Admin. Invest.? ☐ Hit? ☑

Incident Information

URN: 019-03454-1122-056	Date: 02/17/19 Time: 1810 Hours
City or Station: Lancaster	Nature of Incident: Call for service, Mentally Ill, Person with Knife. Dep and Sgt arrived and Suspect Lopez advanced toward them. Sgt Delia fired twice, striking suspect's chin, and left shoulder.
Location: 512 West Milling Street	

Location Type (check one or more):
☐ Backyard
☐ Beach
☐ Business
☐ Freeway
☐ Industrial
☐ Park
☑ Parking Lot
☐ Residence
☐ Rural
☐ School
☐ Street
Other:

Lighting (check only one):
☑ Darkness
☐ Daylight
☐ Other
☐ Street Lights

Weather (circle only one):
☐ Clear
☑ Cloudy
☐ Fog
☐ Rain

Distance: 20-25 feet

Incident Type (check one or more):
☐ Accidental
☑ Armed Person
☐ Fleeing Suspect
☐ Foot Pursuit
☐ Gun Take Away
☐ Moving Vehicle
☐ Sniper/Ambush
☐ Startle
☐ Struggle Involved
☐ Traffic Stop
☐ Unarmed Person
☐ Unintentional
☐ Vehicle Pursuit
☐ Warrant Service
☐ Warning Shot
Other:

Initiated by (check only one):
☐ Arrest Warrant
☑ Call
☐ Observation
☐ One Person Unit
☐ Other
☐ Search Warrant
☐ Two Person Unit

Prior Activity (check only one):
☐ Detective
☐ Inmate Transport
☐ Other
☑ Routine Patrol

Aero Unit? ☐ Canine Unit? ☐

Total # of Shots Fired by Deputy: 2
Total # of Shots Fired by Suspect: 0

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	Rafael	Daniel		☐ EM ☑ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.		
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more)
[redacted]	Inocente	Thomas	A	☑ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Arcidiacono	Frank	J

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Arnold	Layne	B

PSTD Use Only

SH # 2475658

SH-R-438A (rev. 10/01/15)

See Reverse

Officer Involved Shooting
Involved Employee Information

URN: 019-03454-1122-056

Involved Employee

E 1

Employee # [redacted]	Last Name Delia	First Name Anthony	M.I. J
Sex: M Race: W	Rank: Sergeant	Unit Assignment: Lancaster	Work Assignment (Unit #, Module, etc.): 110S
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☑
Hrs of sleep prior to shooting: Unk — Age: [redacted] Height: 5-09	Duty Time (hrs): 8 — Weight: 190	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted] — Patrol Certification? [redacted]	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings: 0	Directed Force: ☐
Weapons Fired Brand: S&W, M&P — Caliber: 9mm	# Shots: 2	Weapons Fired Brand: — Caliber:	# Shots:
Field Training Officer Emp #: n/a	Last Name:	First Name:	M.I.
Field Training Officer Emp #: n/a	Last Name:	First Name:	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting: — Age: Height:	Duty Time (hrs): — Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐ — Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:	Directed Force: ☐
Weapons Fired Brand: — Caliber:	# Shots	Weapons Fired Brand: — Caliber:	# Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # — Interviewed? ☐
Hrs of sleep prior to shooting: — Age: Height:	Duty Time (hrs): — Weight:	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐ — Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ — Number of Prior Shootings:	Directed Force: ☐
Weapons Fired Brand: — Caliber:	# Shots	Weapons Fired Brand: — Caliber:	# Shots
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

URN: 019-03454-1122-056

Suspect Information

S 1

Last Name: Lopez		First Name: Steven	M.I. nmn
AKA Last Name: n/a		First Name: n/a	M.I. n/a
Sex: M Race: H	Street Address: [redacted]	City: Lancaster	State & Zip Code: CA 93532
Work Phone: n/a	Home Phone: n/a	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 36 D.O.B. 11/21/82	Height: 507 Weight: 175	FBI #: [redacted]	CII #: [redacted]
Booking # 5550420	Primary Charge: 245(c) PC		Secondary Charge: 245(a)(4) PC
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☑	Substance Used: methamphetamine, cannabis
Armed? ☑	Apprehended? ☑	Mental Illness? [redacted]	Criminal History? [redacted]
Vehicle Make: n/a Model:	Year:	Parole: Yes Probation: No	Prior Felony Conviction: [redacted]

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:		Secondary Charge:
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model:	Year:	Parole: Probation:	Prior Felony Conviction:

See Other Side

Officer Involved Shooting

JRN: 019-03454-1122-056

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02/17/19	2045	11/02/22	

Employee #	Last Name	First Name	M.I.
[redacted]	Smitson	Eric	C
[redacted]	Gutierrez	John	
[redacted]	Hamil	Jeffrey	F

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S-1	E-1	OE					NN	
E-1	S-1	FH	SW	9	Y	Y	GS	HE, CH

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **On-Duty Hit Shooting, Suspect Injured**

IAB FILE NUMBER: **SH 2475658**

URN#: **019-03454-1122-056**

DATE/TIME: **February 17, 2019, 1804 Hours**

LOCATION: [redacted] **West Milling Street, Lancaster**

SYNOPSIS

On February 17, 2019, an Internal Affairs Bureau (IAB) Shooting/Force response team comprised of Lieutenant Eric Smitson, #[redacted] Sergeant John Gutierrez, #[redacted], and Sergeant Jeffery Hamil, #[redacted], responded to [redacted] West Milling Street, in the city of Lancaster, regarding an on-duty, deputy involved hit shooting. Suspect Steven Lopez (Suspect Lopez) sustained two gunshot wounds. On January 30, 2020, the case was assigned to Sergeant Terrence Smith, #[redacted]

IAB Lieutenant Smitson advised that the Lancaster Station on-duty watch commander took reasonable steps to ensure the involved employees and witness personnel did not discuss the incident amongst themselves or with uninvolved persons prior to being interviewed by Homicide Bureau investigators. In addition, Lieutenant Smitson confirmed the involved personnel were in the company of a supervisor until they provided a voluntary statement to Homicide Bureau investigators.

Detective Michael Haggerty, #[redacted] and Detective Francis Hardiman, #[redacted] from the Los Angeles County Sheriff's Department Homicide Bureau were assigned the investigation of the shooting incident. For further information regarding the investigation conducted by Homicide Bureau, refer to the Homicide Casebook under file number 019-03454-1122-056 **[Exhibit A]**.

> **IAB NOTE:** **The page numbers referenced in this summary regarding Exhibit A, correspond to page numbers written at the bottom of each page in the Homicide Bureau casebook.**

SUMMARY

On February 17, 2019, Sergeant Anthony Delia was assigned to Lancaster Station, Unit 110S.

On February 17, 2019, [redacted] (Witness [redacted], was the [redacted] of a Thai Restaurant located at [redacted] West Milling Street, Lancaster. Witness [redacted] called Lancaster Station and reported an unknown male brandished a knife and acted erratic. Witness [redacted] stated the male, Suspect Lopez, put a knife to his own throat and yelled in the alley behind his location, Lancaster Station incident number LAN19048-0269 **[Exhibit A, Homicide Casebook, Page 6-7]**. Witness [redacted] reported he lost sight of Suspect Lopez when Suspect Lopez went south, down a north-south alley located south of the Thai Restaurant, between Sierra Highway and Beech Avenue.

Sergeant Delia was assigned to the call and responded to the location, along with Deputy Daniel Rafael Unit 111. Sergeant Delia and Deputy Rafael coordinated, over the radio, regarding where they would meet. As Sergeant Delia got closer to the location, he saw Deputy Rafael driving northbound on Sierra Highway, with lights and sirens. Sergeant Delia told Deputy Rafael they would drive into the location together. Sergeant Delia and Deputy Rafael did not stop and discuss a tactical plan prior to driving into the location. Sergeant Delia stated he did not feel it was appropriate to do so and felt an exigency to arrive to the location to locate the suspect. Sergeant Delia was familiar with the area and knew there were residences located near the vacant lot. Sergeant Delia stated he did not want Suspect Lopez to make his way into the residential area.

Sergeant Delia and Deputy Rafael drove into the vacant lot located south of [redacted] West Milling Street and saw Suspect Lopez, who matched the description in the call, sitting in a chair near a block wall on the southeastern corner of the lot. When Sergeant Delia and Deputy Rafael drove into the lot, they parked facing a southeast direction, and exited their vehicles. Sergeant Delia and Deputy Rafael stood behind their opened driver's side door and illuminated Suspect Lopez with their patrol vehicles' spotlights.

Suspect Lopez quickly walked toward Sergeant Delia and Deputy Rafael. Sergeant Delia and Deputy Rafael ordered Suspect Lopez, at gunpoint, to stop and to show his hands. Suspect Lopez raised an approximate eight-inch knife with his right hand and quickly walked in Sergeant Delia's direction. Sergeant Delia and Deputy Rafael repeatedly ordered Suspect Lopez to drop the knife. Suspect Lopez ignored the commands and continued to walk toward Sergeant Delia. Suspect Lopez held the raised knife in his right hand with the blade pointed outward.

Suspect Lopez responded to Sergeant Delia's and Deputy Rafael's verbal commands and yelled, "Nope, nope, nope!"

Deputy Rafael broadcasted via radio a request for additional units and a Mental Evaluation Team respond to the incident. While requesting the additional resources,

Deputy Rafael heard two gunshots fired in quick succession by Sergeant Delia. Deputy Rafael saw Suspect Lopez fall to the ground. After Suspect Lopez was shot, he dropped the knife to the ground in close proximity to his hand. Suspect Lopez then picked up the knife, as he laid on the ground, and appeared to attempt to stab himself in the upper chest.

Within two minutes, additional deputies began to arrive. Sergeant Inocente along with assisting units, formulated a plan to cautiously approach Suspect Lopez move him away from the knife. When Suspect Lopez dropped the knife a second time on the ground, deputies quickly closed the distance to him. They grabbed his feet and dragged him several feet away from the knife. Sergeant Inocente said he tactically decided to move the suspect by the feet away from the knife because had they contacted him near his upper body, Suspect Lopez could have stabbed a deputy. Although Suspect Lopez had dropped the knife again, it was on the ground within his immediate reach.

Once Suspect Lopez was moved from the knife, he was handcuffed without resistance and medically treated at the scene by paramedics. Suspect Lopez was placed on a gurney without resistance and transported via ambulance to Antelope Valley Hospital.

Body-worn cameras were not assigned to Lancaster Station personnel at the time of the shooting.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division of the Los Angeles County District Attorney's Office reviewed the shooting of Suspect Steven Lopez. In their letter of opinion, dated April 13, 2022, Head Deputy District Attorney Alan Yochelson concluded Sergeant Delia acted lawfully in self-defense when he used deadly force against Steven Lopez, Jr. **[Exhibit B]**.

INVOLVED DEPARTMENT EMPLOYEE AND WORK HISTORY

Anthony Delia, Sergeant, #[redacted]
North Patrol Division
Lancaster Station

Work History

Date of Employment:	November 10, 1998
Date Assigned to Palmdale:	October 10, 2004
Date Completed Patrol Training:	[redacted]
Date Assigned LCS Station (Sergeant):	
Prior Shooting incident(s):	None
Prior Category 3 Force:	None

Equipment Worn on Person

Sergeant Delia wore a LASD Class A uniform. The uniform consisted of a long-sleeved tan shirt with shoulder patches, and metal LASD badge on his chest. The pants were green in color and consisted of wool material. Sergeant Delia wore a duty belt which contained his duty firearm, a Smith & Wesson M&P 9mm 1.0 handgun with a Surefire light affixed to it. Sergeant Delia's duty belt also contained two extra ammunition magazines, OC spray, two sets of handcuffs, a collapsible baton, and a portable radio.

On February 17, 2019, Sergeant Delia's firearm was collected by Homicide Bureau investigators and booked as evidence (EV-6) at Lancaster Station **[Exhibit A, Homicide Bureau Casebook, page 142]**.

SUSPECT INFORMATION

Steven Lopez Jr.

Male, Hispanic, DOB: November 21, 1982, 5'07", 175 pounds
[redacted]
CII # [redacted], MAIN # [redacted] FBI # [redacted]
The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Lopez had two [redacted]

SUSPECT INJURIES

Suspect Lopez was treated at Antelope Valley Hospital for two gunshot wounds; one gunshot wound to his neck, and one gunshot wound to his upper torso. Additionally, Suspect Lopez was treated for injuries to his jaw, internal jugular vein and left vertebral artery **[Exhibit D, Medical Paperwork, Page 1]**.

A drug screening analysis of a urine sample provided by Suspect Lopez detected the presence of Amphetamines and Cannabis **[Exhibit D, Medical Paperwork, Page 7]**.

EMPLOYEE INJURIES

None.

DEPARTMENT WITNESS PERSONNEL

Deputy Daniel Rafael
Sergeant Thomas Inocente
Deputy Jesus Chamorro
Deputy Felix Alejandre
Deputy Matthew Davis
Deputy [redacted]

Deputy Cory Anderson
Sergeant Brent Bunch
Deputy Nicole Bell

PHYSICAL EVIDENCE

All physical evidence was located and collected by Los Angeles County Sheriff's Department Homicide Bureau personnel and Scientific Services Bureau personnel. For a description of the evidence collected, and where it was collected from, see the Homicide Bureau Casebook **[Exhibit A, Homicide Bureau Casebook, pages 18-24, 26]**.

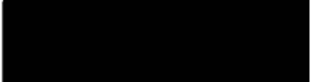
INVESTIGATOR'S OBSERVATIONS

IAB investigators arrived on scene at approximately 2045 hours. The scene was described in detail by Detective Jason Marx, #[redacted] and Detective Howard Cooper, #[redacted], **[Exhibit A, Homicide Bureau Casebook, pages 18-24]**. Their description of the scene was consistent with IAB investigators' observations. A diagram of the scene **[Exhibit E]** was also completed by Scientific Services Bureau.

WEAPON USED BY SERGEANT DELIA

On February 17, 2019, at the beginning of his shift, Sergeant Delia's firearm was loaded to capacity, with one live round in the chamber and seventeen live rounds in the magazine. Homicide Bureau investigators inspected Sergeant Delia's Department issued Smith & Wesson, M&P, semiautomatic handgun, serial number [redacted] and found it loaded with 16 9mm Luger caliber cartridges. Based on the round count of Sergeant Delia's firearm, it was determined he fired two rounds of Department issued 9mm ammunition from his firearm. The firearm was examined by Senior Criminalist [redacted] #[redacted] of the Scientific Services Bureau Firearms Identification Section and found to be functional **[Exhibit A, Homicide Bureau Casebook, Pages 142-143]**.

Date last qualified prior to incident: [redacted]
Date last trained with firearm:



WEAPON USED BY SUSPECT LOPEZ

An approximate 7–8-inch knife, with a black plastic handle and silver metal blade.

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATION AND CHARGES FILED

On March 4, 2019, Suspect Lopez was charged with one count of Assault with a Deadly Weapon, 245 (c) P.C., and one count of Assault with a Deadly Weapon Likely to Produce Great Bodily Injury, 245(a)(4) PC. On April 25, 2019, Suspect Lopez was convicted of one count of Assault with a Deadly Weapon upon a Peace Officer, 245 (c) P.C., and was sentenced to ten years in state prison. Refer to court minutes, case number MA075802 **[Miscellaneous Documents]**.

LIGHTING AND WEATHER CONDITIONS

The incident occurred outdoors during nighttime hours. The scene was artificially lit by patrol vehicle spotlights as well as personnel flashlights.

RADIO TRANSMISSIONS

Internal Affairs Bureau investigators reviewed the utilized SCC radio traffic frequencies. The incident was coordinated over the Sheriff's Communication Center (SCC) Access radio frequency. The radio traffic audio files were placed on a DVD **[Exhibit A]**. The following are approximate chronologically summarized excerpts from the radio transmissions.

Radio Traffic - SCC Dispatch 15

1806 hours – SCC broadcasted a Code-3 response was needed to [redacted] West Milling Street, LAN19048-0269. Unit 111 and Unit 110S were given the Code-3 authorization to respond.

1809 hours – Unit 111 (Deputy Rafael) broadcasted he and his assisting unit (Sergeant Delia) arrived at the location in the call.

1809 hours – SCC broadcasted the Mental Health Team was notified.

1810 hours – Sergeant Delia broadcasted 10-33 emergent radio traffic that the suspect was on the ground and paramedics were needed. Deputy Rafael broadcasted the suspect was on the ground and holding the knife.

1813 hours – Deputy Rafael broadcasted the suspect was holding the knife and refused to comply with deputy's verbal commands. Deputy Rafael requested a deputy to deploy a less lethal 40 mm baton launcher and another deputy to deploy a Taser. Unit 111G advised he was deploying a taser. Unit 112D advised he was deploying the 40 mm less lethal launcher. A deputy advised the suspect dropped the knife. A deputy advised deputies were approaching the suspect. 111S arrived at location. A deputy advised they were taking suspect into custody. SCC advised fire was staging.

1815 hours – Deputy Rafael advised the suspect was breathing and he would advise when the scene was safe for paramedics to enter.

1816 hours – Deputy Rafael advised the Fire Department was on scene.

1818 hours – A deputy advised fire was on scene and rendering aid to Suspect Lopez. SCC advised units the tactical frequency C-Tac-1 was available.

1820 hours – Deputy Rafael advised Code 4, and the suspect was taken into custody.

L-TAC

1807 hours – Deputy Rafael coordinated a response with Sergeant Delia and asked to meet near the station before arriving to the location of the call. Sergeant Delia stated he had a Taser. Deputy Rafael updated his location to Sierra and Avenue J. Sergeant Delia updated his location to Milling Street and Sierra Highway. Deputy Rafael advised he was "pulling up" and that he could see Sergeant Delia.

Deputy Rafael and Sergeant Delia stated they would "roll in" to try and find the suspect.

1810 hours – The Lancaster Station desk advised the suspect was last scene southbound in the alley and out of view.

BODY-WORN CAMERAS:

At the time of this incident, Lancaster Station had not been issued body-worn cameras.

STATEMENTS

Homicide investigators interviewed the involved deputy, numerous Department employees, and civilian witnesses. Some of the witnesses contacted provided information regarding Suspect Lopez, but the information was not consequential to the shooting.

The following narratives are intended only as a synopsis of the interviews. IAB investigators interviewed the involved deputy as well as identified witnesses. The following are summaries of interviews conducted by the IAB. For more information and precise wording, see the case file DVD audio recorded interviews and verbatim interview transcripts.

INVOLVED SERGEANT ANTHONY DELIA

Homicide Bureau Interview

On February 18, 2019, Sergeant Delia was interviewed by Homicide Bureau Detectives Hardiman and Haggerty. The interview was audio recorded and summarized in the Homicide Bureau Case Book **[Exhibit A, Homicide Bureau Casebook, pages 31-34]**.

IAB Interview

On October 20, 2022, Sergeant Delia was interviewed by IAB Sergeant Terrence Smith at the Internal Affairs Bureau office. Sergeant Delia was represented by Attorney Chris Morse.

Sergeant Delia and Deputy Rafael responded Code-3 to a Lancaster Station emergent call for service of a man with a knife. While driving, Sergeant Delia advised Deputy Rafael, via radio, they would drive into the location together. Deputy Rafael acknowledged and advised Sergeant Delia he had a Taser.

> **IAB NOTE: Code-3 is the Los Angeles County Sheriff's Department radio code for personnel responding in police vehicles utilizing their lights and siren.**

Sergeant Delia decided not to wait for additional units before he and Deputy Rafael drove into the location to contact Suspect Lopez. Sergeant Delia was familiar with the area and knew there were residences nearby and knew children frequently played in the area where Suspect Lopez was seen with the knife. Sergeant Delia believed this created an exigency.

Sergeant Delia and Deputy Rafael drove into the dirt lot behind [redacted] West Milling Street and positioned their vehicle's facing in a southeast direction. Deputy Rafael's vehicle was approximately four to five feet away from Sergeant Delia's patrol vehicle. Sergeant Delia noticed Suspect Lopez sat in a chair against a block wall in the southeast corner of the lot, approximately 30-40 yards away. Sergeant Delia shined his patrol vehicle's spotlight on Suspect Lopez and saw Suspect Lopez reached down with his right hand and pick up an object. Sergeant Delia recognized the object to be a knife when Suspect Lopez began to walk toward him. Sergeant Delia drew his firearm from its holster and aimed it toward Suspect Lopez.

As Suspect Lopez walked toward Sergeant Delia, Sergeant Delia repeatedly gave verbal commands for Suspect Lopez to stop and to drop the knife. Suspect Lopez replied, "Nope!" and continued toward Sergeant Delia at a quick pace. Suspect Lopez held the handle of the knife in his right fist and held his right arm raised at an approximate 45-degree angle. Suspect Lopez refused to stop. Sergeant Delia feared Suspect Lopez would stab him with the knife if he got too close.

Sergeant Delia recalled his defensive tactics training about the "21-foot rule" **[Sergeant Delia's IAB Transcript, Page 14,15]**. Sergeant Delia decided he could not allow Suspect Lopez to advance any closer than 20-25 feet.

IAB Note: **21 feet is the distance an average person could cover in about 1.5 seconds. 1.5 seconds is the approximate time it would take for a trained officer to draw and fire their sidearm.**

When Suspect Lopez got within 20-25 feet of Sergeant Delia, Sergeant Delia stated he allowed Suspect Lopez to take one or two extra steps closer hoping Suspect Lopez would heed his commands and stop. When Suspect Lopez did not stop, Sergeant Delia fired two rounds, in quick succession, from his duty firearm. Sergeant Delia reassessed and saw Suspect Lopez was no longer a threat. Sergeant Delia's backdrop was a block wall with closed businesses behind the wall. Sergeant Delia acquired his target by using his firearm's iron sights. While on the ground, Suspect Lopez kept the knife in his hand and motioned toward his chest, with the knife, as if he tried to stab himself.

Sergeant Delia broadcasted, via radio, he had been involved in a shooting. A short time later, Sergeant Inocente arrived at the scene. Sergeant Delia asked Sergeant Inocente to form a contact team to safely take Suspect Lopez into custody.

Within seconds of assembling the contact team, Suspect Lopez dropped the knife. Deputies approached Suspect Lopez with a shield and pulled him a safe distance away from the knife. Paramedics, who were staged nearby, entered the scene within seconds and treated Suspect Lopez within two to three minutes of the shooting. Suspect Lopez was transported, via ambulance, to the hospital.

Sergeant Delia stated during this incident, there was no opportunity for him to deploy less lethal weapons. Although Sergeant Delia had a less lethal 40 mm baton launcher available in his patrol vehicle, he did not have time to retrieve it because Suspect Lopez advanced quickly on him with the knife in hand. Sergeant Delia stated, had Suspect Lopez remained seated in the chair; Sergeant Delia may have had time to retrieve the less lethal 40 mm baton launcher and would have possibly had more time to formulate a plan **[Sergeant Delia's IAB Transcript, Page 22]**.

WITNESS DEPUTY DANIEL RAFAEL

Homicide Bureau Interview

On March 17, 2019, Deputy Daniel Rafael was interviewed by Homicide Bureau Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Bureau Casebook **[Exhibit A, Homicide Bureau Casebook, pages 27-29]**.

IAB Interview

On September 20, 2022, Deputy Rafael was interview by IAB Sergeant Terrence Smith. He was interviewed at the Internal Affairs Bureau office and was represented by Attorney Michael D. Schwartz. Deputy Rafael was re-interviewed by IAB investigators on January 11, 2023.

On February 17, 2019, Deputy Rafael was assigned to patrol Unit 111 PM shift at Lancaster Station. During his shift Deputy Rafael heard radio traffic of a Code-3 response to a man waving a knife and acting erratically. Deputy Rafael acknowledged the call and responded Code-3. Deputy Rafael was a short distance from the location of the call and as he responded, he saw Sergeant Delia respond as well. Deputy Rafael told Sergeant Delia over the L-Tac radio frequency to meet by the Lancaster Station prior to driving into the area where Suspect Lopez was last seen. Deputy Rafael advised he had a Taser, but could not remember if he carried it holstered on his Sam Browne or left it in his patrol vehicle.

Upon their arrival, Deputy Rafael and Sergeant Delia parked their patrol vehicles side by side a short distance, approximately 30 feet, from a man described in the call. They shined their patrol vehicle spotlights at Suspect Lopez. Deputy Rafael and Sergeant Delia attempted to detain Suspect Lopez at gunpoint while Suspect Lopez retrieved a knife and walked toward them. Deputy Rafael and Sergeant Delia gave Suspect Lopez verbal commands to drop the knife. Suspect Lopez refused to drop the knife. Deputy Rafael described Suspect Lopez as having a "thousand-mile stare," and as "being aggressive."

As Suspect Lopez walked toward Sergeant Delia, he refused all verbal commands and repeatedly said, "Nope," in an "aggressive tone." Suspect Lopez did not appear nervous or scared to be approaching armed police with a knife. When Suspect Lopez got close to Sergeant Delia, Deputy Rafael heard two shots "a second apart." Deputy Rafael saw Suspect Lopez fall to the ground while maintaining possession of the knife. Deputy Rafael saw Suspect Lopez holding the knife and making stabbing motions with the knife toward his own chest. Deputy Rafael requested a responding unit deploy a 40 mm less lethal launcher and for an additional unit to deploy a taser. Unit 111G stated over the duplex patch he was deploying the taser. Unit 112D stated over the duplex patch he was deploying the 40 mm less lethal launcher.

Deputy Rafael, along with Deputy Chamorro and Sergeant Inocente devised a tactical plan to move Suspect Lopez away from the knife. Once suspect Lopez dropped the knife on the ground, and at the direction of Sergeant Inocente, Deputy Rafael grabbed Suspect Lopez' right foot and Deputy Chamorro grabbed Suspect Lopez' left foot. Both Deputies Rafael and Chamorro pulled Suspect Lopez away from the knife. While Deputy Rafael held Suspect Lopez' legs, Suspect Lopez did not try to kick or resist their efforts. Deputy Rafael said a deputy handcuffed Suspect Lopez before he was treated by paramedics. Deputy Rafael could not recall who handcuffed Suspect Lopez. Suspect Lopez was transported to Antelope Valley Hospital to be treated for his injuries.

Deputy Rafael was asked if he considered employing a less lethal option. Deputy Rafael stated he did not want to take his eyes off Suspect Lopez, so he did not leave his position to retrieve a stun bag shotgun from the trunk of his patrol vehicle.

Deputy Rafael was asked if he considered waiting for additional units before contacting Suspect Lopez. Deputy Rafael stated he knew additional units were responding to the call, and he felt comfortable contacting Suspect Lopez with Sergeant Delia.

Deputy Rafael stated that at the time of Sergeant Delia's shooting, there were no crossfire issues. The backdrop was a brick wall with businesses behind the wall. At the time of the shooting the businesses were closed.

WITNESS SERGEANT THOMAS INOCENTE

Homicide Bureau Interview

On February 17, 2019, Sergeant Thomas Inocente was interviewed by Homicide Bureau Detectives Hardiman and Haggerty. The interview was audio recorded and summarized in the Homicide Bureau Case Book **[Exhibit A, Homicide Casebook, pages 30-31]**. Sergeant Inocente was re-interviewed by IAB investigators on January 11, 2023.

Sergeant Inocente was assigned to Unit 113S and responded to the call of a person with a knife behind 512 West Milling Street. Sergeant Inocente also heard Deputy Rafael coordinated the response with Sergeant Delia over the tactical frequency, (L-Tac). Sergeant Inocente heard Deputy Rafael and Sergeant Delia say they were going to check the vicinity in the alleyway north of the location.

As Sergeant Inocente neared the location, he heard the emergent radio traffic regarding the deputy involved shooting. At the time of the broadcast, Sergeant Inocente was approximately a block away. Sergeant Inocente drove onto Milling Street from Sierra Highway and arrived at the location within seconds. Sergeant Inocente saw Deputy Rafael's and Sergeant Delia's patrol vehicles facing southeast. Sergeant Inocente noticed Sergeant Delia standing in the open-door area of his patrol vehicle and pointed his firearm toward Suspect Lopez. Sergeant Inocente saw Suspect Lopez lying on the ground approximately 15-20 feet away. Sergeant Delia told Sergeant Inocente that Suspect Lopez still held the knife. Sergeant Inocente described the knife as a "small kitchen knife" with an approximate 4–6-inch blade. Sergeant Inocente noticed Suspect Lopez dropped the knife and picked it up several times. Suspect Lopez also made stabbing motions toward his own chest.

As additional units arrived, Sergeant Inocente developed a plan to move Suspect Lopez away from the knife. Sergeant Inocente enlisted the help of Deputy Rafael and Deputy Chamorro and waited for Suspect Lopez to drop the knife. Suspect Lopez dropped the knife for the last time and held his arms out to his side. The knife fell on the ground, next to his left hand. Sergeant Inocente and Deputies Rafael and Chamorro

approached with a shield. Sergeant Inocente stated they approached Suspect Lopez, grabbed him by his ankles and pulled him away from the knife. Sergeant Inocente did not see any resistance from Suspect Lopez and described Suspect Lopez as being limp. Once Suspect Lopez was away from the knife, paramedics were allowed into the scene to treat Suspect Lopez.

Sergeant Inocente stated two to three minutes elapsed from the time of the shooting to the time paramedics treated Suspect Lopez. Sergeant Inocente saw Suspect Lopez was conscious and had what appeared to be a bullet wound to his chin. Sergeant Inocente did not see any other bullet wounds on Suspect Lopez.

IAB investigators asked Sergeant Inocente why he decided to move Suspect Lopez away from the knife, instead of securing the knife. Sergeant Inocente stated the knife was on the ground next to Suspect Lopez. Sergeant Inocente felt by attempting to secure the knife, it placed them near Suspect Lopez' hand, which could potentially grab the knife again. Sergeant Inocente felt it was better to move Suspect Lopez away from the knife, by grabbing his feet and pulling him away. Sergeant Inocente stated they moved Suspect Lopez approximately 10 to 15 feet away from the knife.

WITNESS DEPUTY JESUS CHAMORRO

On February 18, 2019, Deputy Jesus Chamorro was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 35-36]**. Deputy Chamorro was re-interviewed by IAB investigators on January 12, 2023.

Deputy Chamorro was assigned to Unit 111D on the night of this incident. Deputy Chamorro heard a call broadcasted regarding the man with the knife. At the time of the call, Deputy Chamorro was handling a different call for service. When the deputy involved shooting was broadcasted, Deputy Chamorro started to respond Code-3 to the location. While responding, Deputy Chamorro heard updates being broadcasted over the radio. The updates stated Suspect Lopez was uncooperative and still held the knife.

Upon Deputy Chamorro's arrival to the scene, he parked his patrol vehicle in the dirt lot and retrieved his stun bag shot gun. Deputy Chamorro saw Sergeants Delia and Inocente as they detained Suspect Lopez at gunpoint. Deputy Chamorro noticed Suspect Lopez laid on the ground and held the knife. Deputy Chamorro stated Suspect Lopez was approximately 30 feet away.

Deputy Chamorro contacted Sergeant Inocente who formulated a contact team to grab Suspect Lopez' feet and to pull him away from the knife. Suspect Lopez dropped the knife within arm's reach, at which time, Sergeant Inocente directed Deputies Rafael and Chamorro to grab Suspect Lopez' legs and to pull him away from the knife. Deputy Chamorro grabbed Suspect Lopez' right leg and Deputy Rafael grabbed his left leg. Suspect Lopez did not resist. Deputies Chamorro and Rafael pulled Suspect Lopez away at which time Deputy Chamorro pinned Suspect Lopez' right arm down **[Deputy**

Chamorro's homicide transcript, Page 9]. Deputy Chamorro described Suspect Lopez as alert, but not combative. Deputy Chamorro stated he pinned Suspect Lopez' arm so they could search him for additional weapons. Deputy Chamorro described Suspect Lopez as being extremely fidgety and Deputy Chamorro believed Suspect Lopez' actions were due to him being under the influence of a stimulant. Deputy Chamorro stated Suspect Lopez had body tremors; however, Suspect Lopez did not resist nor did he try to pull his arm away from Deputy Chamorro. Paramedics were on scene within 30 seconds of Suspect Lopez being secured.

Suspect Lopez told Deputy Chamorro he was going to grab Deputy Chamorro's firearm. Deputy Chamorro believed if he would have let go of Suspect Lopez' arm, he would have grabbed his firearm due to Suspect Lopez' unpredictable behavior. Deputy Chamorro felt Suspect Lopez' right arm become tense; however, his left arm did not move. Deputy Chamorro told Deputy Rafael to maintain control of Suspect Lopez' left arm. Deputy Chamorro heard Suspect Lopez state "Pacas Flats," which is a criminal street gang from the city of Pacoima **[Deputy Chamorro's Homicide Transcript, Page 10]**.

Deputy Chamorro saw Suspect Lopez was shot in the face and possibly in the left shoulder. Paramedics treated Suspect Lopez on scene before transporting him to Antelope Valley Hospital. Deputy Chamorro accompanied Suspect Lopez in the ambulance. Deputy Chamorro described Suspect Lopez' as tensing and tightening his muscles uncontrollably and believed this was also due to Suspect Lopez being under the influence of a stimulant. Deputy Chamorro stated Suspect Lopez was not trying to fight, kick or break free. Suspect Lopez continued stating he wanted to grab Deputy Chamorro's gun; however, Suspect Lopez did not try to grab the gun. Deputy Chamorro initially described Suspect Lopez' behavior as combative **[Deputy Chamorro's Homicide Transcript, Page 12]**. Deputy Chamorro stated Suspect Lopez was not being physically combative, but verbally combative because of the threats to grab his gun **[Deputy Chamorro's IAB Transcript, Page 7]**.

Deputy Chamorro heard Suspect Lopez state he shot himself. While paramedics treated Suspect Lopez, he went from cooperative to uncooperative. Deputy Chamorro held Suspect Lopez' arm so paramedics could place an intravenous needle in his arm. Deputy Chamorro stated he held Suspect Lopez' arm because Suspect Lopez was shaking involuntarily **[Deputy Chamorro's IAB Transcript, Page 10, 11]**. Suspect Lopez did not resist Deputy Chamorro's effort to hold his arm still for the paramedics.

While at the hospital Suspect Lopez motioned his arm toward Deputy Chamorro's Taser which prompted Deputy Chamorro to handcuff Suspect Lopez to the gurney. Deputy Chamorro stated he quickly handcuffed Suspect Lopez' right hand to the gurney. Deputy Chamorro stated Suspect Lopez offered no resistance.

Deputy Chamorro was advised by medical staff that Suspect Lopez tested positive for methamphetamine, alcohol, and marijuana.

WITNESS DEPUTY FELIPE ALEJANDRE

On February 18, 2019, Deputy Felipe Alejandre was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and was summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 36-37]**. The following is a summary of the Homicide interview:

Deputy Alejandre was assigned to Unit 111T1 on the night of this incident. Deputy Alejandre heard a call broadcasted regarding a mentally ill person with a knife. When Deputy Alejandre heard the emergent broadcast of the deputy involved shooting, he responded Code-3 to the location.

Upon Deputy Alejandre's arrival, he saw Sergeant Delia's and Deputy Rafael's patrol vehicle's facing east. Deputy Alejandre also noticed Suspect Lopez laid on the ground east of the patrol vehicles. Deputy Alejandre saw other deputies form an arrest team. Suspect Lopez was holding a knife and heard him yell that he shot himself. Once Suspect Lopez dropped the knife, Deputy Alejandre approached with Deputies Chamorro and Rafael, along with Sergeant Inocente. Deputy Alejandre saw Deputies Chamorro and Rafael pull Suspect Lopez away from the knife so paramedics could provide medical assistance.

WITNESS DEPUTY MATTHEW DAVIS

On February 18, 2019, Deputy Matthew Davis was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and was summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 38-39]**. The following is a summary of the interview:

On February 17, 2019, Deputy Davis was assigned to Unit 112T1 on the night of this incident. Deputy Davis heard a call regarding a man with a knife. Deputy Davis began to respond to the call when he heard emergent radio traffic regarding a deputy involved shooting. Upon arriving, Deputy Davis saw two patrol vehicles facing east, behind the Thai restaurant. Deputy Davis parked behind Sergeant Delia's patrol vehicle. Deputy Davis stated he drew his firearm and covered Suspect Lopez. Deputy Davis noticed Suspect Lopez dropped the knife and picked it up again while he was down on the ground. Suspect Lopez made stabbing motions toward his own chest with the knife.

Deputy Davis approached Suspect Lopez with the contact team and held Suspect Lopez at gunpoint while two other deputies grabbed Suspect Lopez' legs and pulled him away from the knife. Deputy Davis did not recall who the other deputies were on the contact team.

Deputy Davis saw a wound near Suspect Lopez' chin, which bleed. Deputy Davis stated paramedics contacted Suspect Lopez and rendered aid.

WITNESS DEPUTY [redacted]

On February 18, 2019, Deputy [redacted] was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 39]**. The following is a summary of the Homicide interview:

Deputy [redacted] was assigned to Unit 113A with his partner, Deputy Cory Anderson, on the night of this incident. Deputy [redacted] heard a call broadcasted regarding a man with a knife; however, Deputies [redacted] and Anderson were handling a different call for service. When Deputy [redacted] heard the emergent radio traffic regarding the deputy involved shooting, Deputies [redacted] and Anderson responded Code-3. Upon arriving at the location, Deputy [redacted] saw several other units already there. Deputy [redacted] saw Sergeant Delia's patrol vehicle facing southeast in the dirt lot. Deputy [redacted] heard several deputies gave commands to Suspect Lopez. Deputy [redacted] saw Deputies Chamorro and Rafael pull Suspect Lopez away from a knife that was by his feet and then held his arms down. Deputy [redacted] heard Suspect Lopez state, "I shot myself. I shot myself." Deputy [redacted] stated neither he, nor his partner were a part of the team that contacted Suspect Lopez.

Once Suspect Lopez was away from the knife, Deputy [redacted] directed Deputy Anderson to stand by the knife to keep the knife from being stepped on or moved.

WITNESS DEPUTY CORY ANDERSON

On February 18, 2019, Deputy Cory Anderson was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 40]**. The following is a summary of the Homicide interview.

Deputy Anderson was assigned to Unit 113A, with [redacted] Deputy [redacted] on the night of this incident. Deputy Anderson heard a call broadcasted regarding a man with a knife. When a deputy involved shooting was broadcasted, Deputies Anderson and [redacted] responded. Upon their arrival, Deputy Anderson saw additional patrol units already on scene. Deputies Anderson and [redacted] parked behind Sergeant Delia's patrol vehicle. Deputy Anderson saw fire department personnel present.

Deputy Anderson saw several deputies stand around Suspect Lopez. Deputy Chamorro held Suspect Lopez' right arm down while paramedics treated Suspect Lopez.

Deputy Anderson saw a knife east of where Suspect Lopez laid on the ground. Deputy Anderson stated he stood by the knife to ensure no one touched it. Deputy Anderson noticed Suspect Lopez was transported in an ambulance as Deputy Chamorro escorted.

WITNESS SERGEANT BRENT BUNCH

On February 18, 2019, Sergeant Brent Bunch was interviewed by Homicide Detectives Hardiman and Haggerty. This interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 40-41]**. The following is a summary of the Homicide interview:

Sergeant Bunch was assigned to Unit 111S on the evening of this incident. Sergeant Bunch was initially assigned to the man with a knife call for service but was taken off the call because Sergeant Delia was closer. When Sergeant Bunch heard emergent radio traffic regarding a deputy involved shooting, he responded to Sergeant Delia's location.

Upon his arrival he saw numerous patrol vehicles parked in the dirt lot where the incident occurred. When Sergeant Bunch arrived, he heard over the radio it was clear to have paramedics enter the scene. Sergeant Bunch waved in medical personnel to treat Suspect Lopez. While Suspect Lopez was being treated by paramedics, Sergeant Bunch heard Suspect Lopez yell that he shot himself.

Sergeant Bunch transported Sergeant Delia and Deputy Rafael to the station, then returned to the scene to maintain the command post.

WITNESS DEPUTY NICOLE BELL

On February 18, 2019, Deputy Nicole Bell was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 42-43]**. The following is a summary of the Homicide interview:

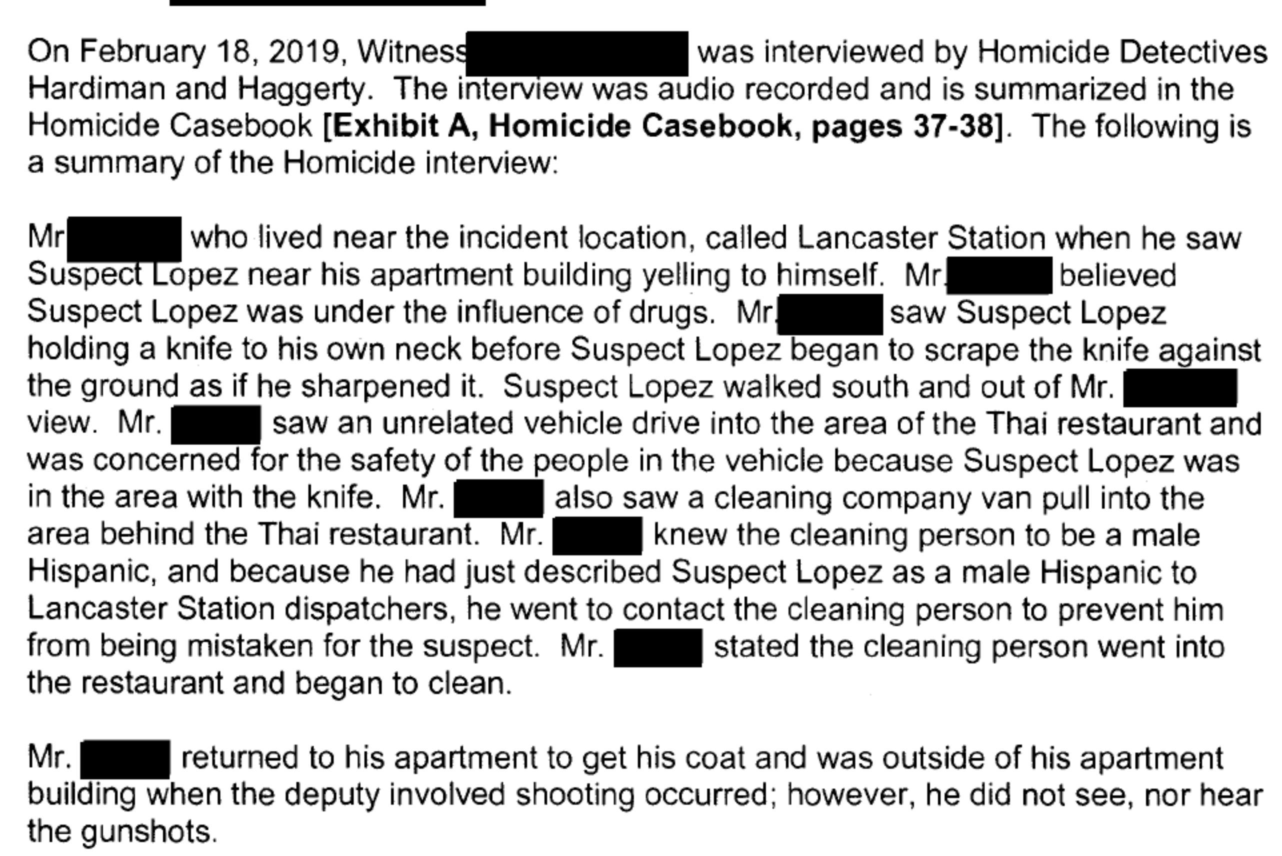
Deputy Bell was assigned to Unit 112B on the evening of this incident. Deputy Bell was aware of the call involving Suspect Lopez. At the time the call was broadcasted, Deputy Bell had transported a prisoner back to Lancaster Station. When Deputy Bell was near Milling Street and Sierra Highway, she heard one gunshot. Deputy Bell rushed to drop off her prisoner at Lancaster Station. Deputy Bell then responded to the location of the deputy involved shooting.

When Deputy Bell arrived, she saw Sergeant Delia and Deputy Rafael detaining Suspect Lopez at gunpoint. Deputy Bell noticed Suspect Lopez laid face up on the ground, with his head facing east. Suspect Lopez held a knife in his right hand and waved it in the air. Deputy Bell noticed Suspect Lopez made stabbing motions toward his chest with the knife. Deputy Bell heard Suspect Lopez screaming "Pacas," which she recognized as the name of a criminal street gang from the city Pacoima.

Deputy Bell saw a team of deputy's approach Suspect Lopez and once Suspect Lopez dropped the knife, the deputies grabbed him by his legs and moved him away from the knife. Deputy Bell heard Suspect Lopez yell, "Fuck the police" and "Chucky doesn't die on the street."

Deputy Bell noticed paramedics medically treated Suspect Lopez and then transported Suspect Lopez to the hospital by ambulance.

WITNESS [redacted]



On February 18, 2019, Witness [redacted] was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 37-38]**. The following is a summary of the Homicide interview:

Mr [redacted] who lived near the incident location, called Lancaster Station when he saw Suspect Lopez near his apartment building yelling to himself. Mr [redacted] believed Suspect Lopez was under the influence of drugs. Mr [redacted] saw Suspect Lopez holding a knife to his own neck before Suspect Lopez began to scrape the knife against the ground as if he sharpened it. Suspect Lopez walked south and out of Mr. [redacted] view. Mr. [redacted] saw an unrelated vehicle drive into the area of the Thai restaurant and was concerned for the safety of the people in the vehicle because Suspect Lopez was in the area with the knife. Mr. [redacted] also saw a cleaning company van pull into the area behind the Thai restaurant. Mr. [redacted] knew the cleaning person to be a male Hispanic, and because he had just described Suspect Lopez as a male Hispanic to Lancaster Station dispatchers, he went to contact the cleaning person to prevent him from being mistaken for the suspect. Mr. [redacted] stated the cleaning person went into the restaurant and began to clean.

Mr. [redacted] returned to his apartment to get his coat and was outside of his apartment building when the deputy involved shooting occurred; however, he did not see, nor hear the gunshots.

WITNESS NURSE DONALD AIYEDEKE

On February 18, 2019, Mr. Donald Aiyedeke was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 41-42]**. The following is a summary of the Homicide interview:

Mr. Aiyedeke was a nurse at Antelope Valley Hospital when Suspect Lopez was brought in for medical treatment. Mr. Aiyedeke indicated Suspect Lopez kicked at medical staff as they tried to treat him. Mr. Aiyedeke was not sure if Suspect Lopez reached for Deputy Chamorro's firearm.

WITNESS NURSE KIAH HARPER

On February 18, 2019, Ms. Kiah Harper was interviewed by Homicide Detectives Hardiman and Haggerty. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 42]**. The following is a summary of the Homicide interview:

Ms. Harper was a nurse at Antelope Valley Hospital when Suspect Lopez was taken in for treatment. Ms. Harper stated Suspect Lopez was handcuffed to the gurney because he was "out of it." Ms. Harper did not see Suspect Lopez reach for Deputy Chamorro's firearm. Ms. Harper stated Suspect Lopez' right arm was all over the place and did not reach for anything. Ms. Harper stated Suspect Lopez kicked his feet in an effort to get off the gurney. Ms. Harper did not believe Suspect Lopez tried to kick her.

WITNESSES [redacted] AND [redacted]

On February 18, 2019, Ms. [redacted] and Ms. [redacted] were interviewed by Homicide Detectives Hardiman and Haggerty in the waiting room at Antelope Valley Hospital. The interview was audio recorded and is summarized in the Homicide Casebook **[Exhibit A, Homicide Casebook, pages 34]**. The following is a summary of the Homicide interview:

Ms. [redacted] and Ms. [redacted] were related to Suspect Lopez and learned through social media Suspect Lopez was possibly involved in a deputy involved shooting. Ms. [redacted] and Ms. [redacted] described Suspect Lopez as depressed and stated he recently got out of prison and was known to use drugs. Ms. [redacted] stated she had never seen Suspect Lopez act violently.

Ms. [redacted] and Ms. [redacted] assisted Detectives Hardiman and Haggerty and provided identifying information related to Suspect Lopez' tattoos. Detectives Hardiman and Haggerty used the information provided by Ms. [redacted] and Ms. [redacted] to positively identify Suspect Lopez at the hospital.

SUBJECT STEVEN LOPEZ

On February 18, 2019, Homicide Detectives Hardiman and Haggerty contacted Suspect Lopez at the Antelope Valley Hospital. Due to Suspect Lopez' condition, he was not interviewed on that day. Detectives Hardiman and Haggerty recontacted Suspect Lopez on February 26, 2019, at the Inmate Reception Center.

Suspect Lopez stated at the time of the incident he had given up on life and decided that "suicide by cop" was his best option. Suspect Lopez had been arrested for being drunk in public and was released from jail on the same day of the shooting incident.

When asked how he ended up behind the Thai restaurant, Suspect Lopez stated, "To be honest, no clue...wet, dark, muddy, figured if I slit my throat, just laid there. Nobody would find me for a couple days. I'm wearing black. It's dark" **[Suspect Lopez' Homicide Transcript, Page 11]**.

When Sergeant Delia and Deputy Rafael contacted Suspect Lopez in the dirt lot behind the Thai restaurant, Suspect Lopez thought, "I can't do this no more." Suspect Lopez picked up the knife and began to walk toward Sergeant Delia. Suspect Lopez heard Sergeant Delia tell him to put the knife down. Suspect Lopez responded, "Nope."

Suspect Lopez heard Sergeant Delia ordered him several more times to drop the knife, but Suspect Lopez said, "No." Suspect Lopez stated he did not know how many times he was shot but was told later in the hospital he was shot in his jaw and chest.

Suspect Lopez indicated he got the knife from his [redacted] house and carried it in a bag which contained a fork and a spoon. Suspect Lopez carried the items as utensils because he was homeless. Detective Hardiman asked Suspect Lopez what he would have done had he not been shot. Suspect Lopez stated he would have tried to slice his own wrist and he would not have done anything to Sergeant Delia.

LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF PROSECUTION SUPPORT OPERATIONS
JUSTICE SYSTEM INTEGRITY DIVISION

GEORGE GASCÓN • District Attorney
JOSEPH F. INIGUEZ • Chief of Staff
• Director

April 13, 2022

CAPTAIN JOE MENDOZA
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Non-Fatal Officer Involved Shooting of Steven Lopez Jr.
J.S.I.D. File #19-0087
L.A.S.D. File #:019-03454-1122-056

Dear Captain Mendoza:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 30, 2017, non-fatal shooting of Steven Lopez, Jr. by Los Angeles County Sheriff's Department Sergeant Anthony Delia. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

GEORGE GASCÓN
District Attorney

ALAN YOCHELSON
Head Deputy District Attorney
Justice System Integrity Division

c: Sergeant Anthony Delia, #[redacted]

L.A. COUNTY SHERIFF'S DEPT.
RECEIVED
JUL 06 2022
INTERNAL AFFAIRS BUREAU

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213)[redacted]
Fax: (213)
WEBSITE: http://da.lacounty.gov

MEMORANDUM

TO: CAPTAIN JOE MENDOZA
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Non-Fatal Officer Involved Shooting of Steven Lopez, Jr.
J.S.I.D. File #19-0087
L.A.S.D. File #019-03454-1122-056

DATE: April 13, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the February 17, 2019, non-fatal shooting of Steven Lopez, Jr. by Los Angeles County Sheriff's Department (LASD) Sergeant Anthony Delia. We have concluded that Sergeant Delia acted in lawful self-defense at the time he fired his weapon.

The District Attorney's Command Center was notified of this shooting on February 17, 2019, at approximately 9:45 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene by LASD Lieutenant Derrick Alfred.

The following analysis is based on reports, recorded interviews, DVD recordings, and photographs submitted to this office by the LASD Homicide Bureau. No compelled statements were considered in this analysis. The deputies were not equipped with body worn video cameras.

FACTUAL ANALYSIS

At 4:09 p.m., on February 17, 2019, [redacted] called 9-1-1 regarding a man, later identified as Lopez, who was acting erratically. Lopez was pacing back and forth in an alley near the corner of Milling Street and Sierra Highway in Lancaster. Lopez was alone, but [redacted] could hear that Lopez was yelling. [redacted] could not discern what Lopez was saying. Lopez was holding a knife that [redacted] estimated was ten inches long. Periodically, Lopez crouched down and dragged the knife across the pavement as if he was trying to sharpen it. [redacted] watched Lopez behaving this way for approximately 20 minutes. Finally, Lopez held the knife to his neck, at which point [redacted] called 9-1-1. [redacted] provided a description of Lopez to the operator.

Deputies Rafael and Delia were assigned to separate single deputy patrol units. Both were in full uniform. Both were assigned to respond to [redacted] call. Rafael and Delia communicated with

one another as they drove to the location to coordinate their response. They saw one another as Rafael traveled northbound on Sierra Highway and Delia approached driving southbound.

Lopez was sitting in the southeast corner of a dirt lot. The two deputies entered on the east side of the lot and illuminated Lopez with their spotlights. The deputies parked their patrol vehicles near each other and in a location that maintained what they each considered a safe distance from Lopez—Delia estimated the distance was 30-40 yards.

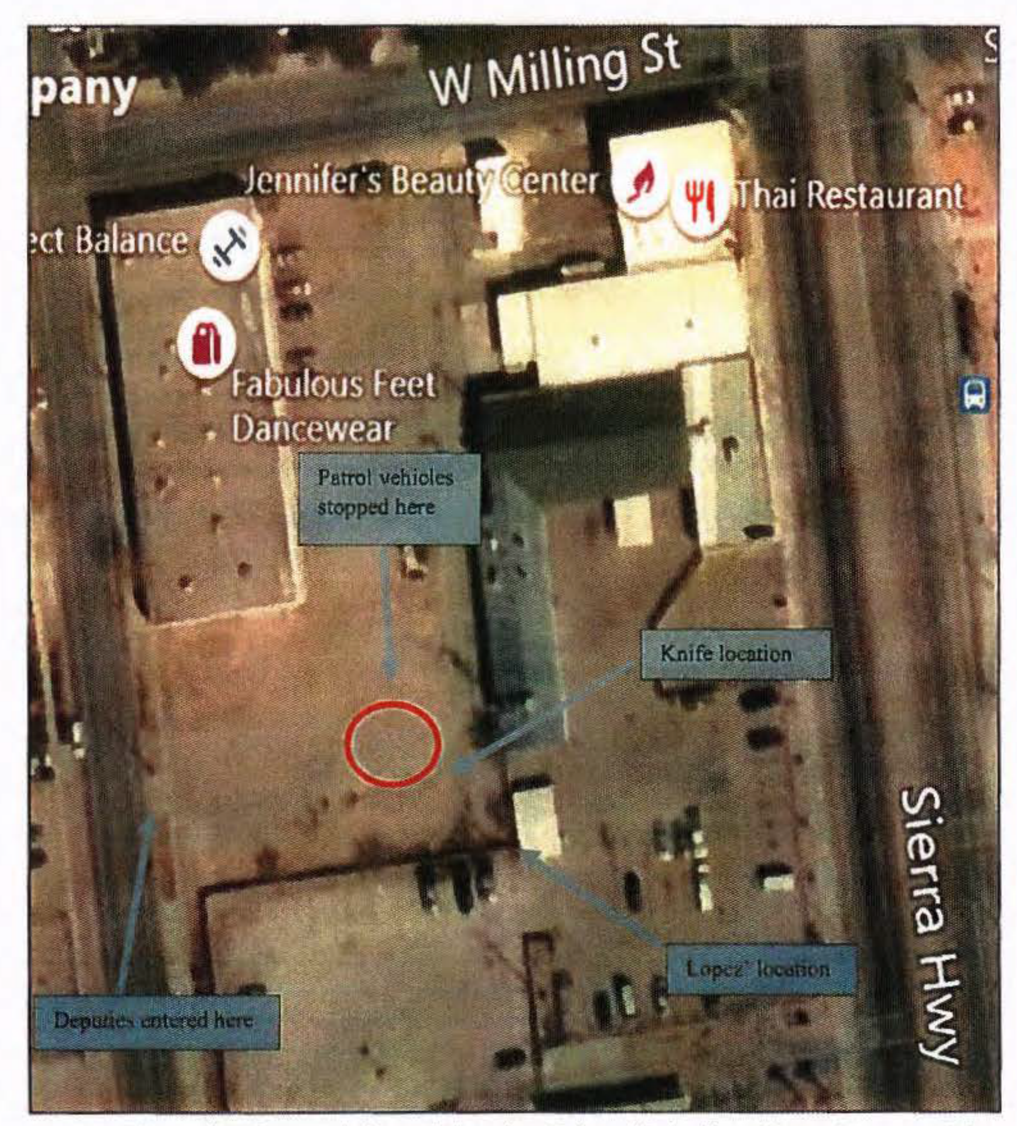


Figure 1. This satellite photograph shows the lot where Delia and Rafael found Lopez. Lopez was sitting in the southeast corner of the lot. The deputies entered from Beech Avenue, parallel to Sierra Highway, and parked their vehicles facing Lopez.



Figure 2. This photograph shows the location of Delia and Rafael's patrol vehicles during the incident and where Lopez sat when they arrived. Delia's SUV is in the foreground, Rafael's vehicle is behind it.

Delia and Rafael exited their vehicles and remained standing behind the driver's side doors for their protection. Lopez reached down to the ground on his right-hand side and picked up a fixed blade knife, approximately 7-8 inches long.



Figure 3. This photograph depicts the knife Lopez possessed when he approached Delia.

Lopez focused his attention on Delia, who was closer to Lopez than Rafael. Lopez began to walk briskly towards Delia, whose vehicle was parked a few feet north of Rafael's vehicle. Both deputies drew their duty weapons and repeatedly ordered Lopez to stop and drop the knife. Lopez said, "Nope, nope, nope. Lancas. I'm from Lancas." Lancas is a criminal street gang based in Lancaster. Delia said Lopez' tone of voice was aggressive. Lopez continued to advance with the knife in his right hand with his right arm extended and the blade pointing towards Delia. Based on Lopez' actions, words, and tone of voice, Delia believed that Lopez intended to stab and kill him.

Delia noted that Lopez had three possible avenues of escape. Lopez could flee northbound along the cinderblock wall, which had not been blocked by responding law enforcement; or he could climb over the wall either to Lopez' south or east. He made no attempt to avoid apprehension.

As Lopez advanced, Delia became increasingly apprehensive. When Lopez reached a distance of approximately 20 to 25 feet away from Delia, Delia feared his life was in imminent danger and fired twice at Lopez, striking him in the chin and in the left clavicle. Lopez collapsed but maintained control of the knife. Delia instructed Lopez to "Drop the knife," and "Get away from the knife." Lopez raised the knife and then attempted to stab himself in the chest, but he did not use enough force to cause injury.

Other deputies arrived on the scene. Eventually, Lopez dropped the knife onto the ground and was taken into custody without further incident.

Delia was armed with a 9mm Smith & Wesson pistol. A spent 9mm cartridge case was recovered underneath Delia's patrol vehicle and another was found on the rooftop underneath the lightbar.

<u>Lopez's Statement</u>

Investigators interviewed Lopez regarding the incident on February 26, 2019. After waiving his *Miranda* rights, Lopez said that on the day of the incident, he had been drinking and became tired of life. He decided that committing "suicide by cop was the best thing to do." He stated that he went to the dirt lot to slit his own throat. He wandered around the lot until he saw a chair in the corner of the lot. He sat in the chair and soon afterwards, two police vehicles approached him. He estimated the deputies parked 20 feet away from him. The deputies illuminated him and asked Lopez his name. Lopez decided to pick up the knife and walk towards Delia. When Lopez started walking, Delia told Lopez to "Put the knife down." Lopez said, "Nope." Again, Delia repeated, "Put the knife down." Lopez responded, "Nope." When Lopez was approximately ten to 15 feet away from Delia, Delia said, "For the last time, sir, please put the knife down." Again, Lopez said "Nope," and was struck by gunfire, causing him to fall to the ground.

Once on the ground, Lopez yelled the name of his criminal street gang, "Pacas!"[1] He said he shouted his street gang name because he wanted to raise his heart rate and cause more blood to leave his wounds.

Lopez said it was reasonable for the deputies to shoot him and he harbored no ill will towards them. He said if the deputy had not shot him, he would not have stabbed the deputy, but would have cut his wrists.

Lopez said he got what he deserved and wanted to apologize to the deputy he assaulted.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

According to the law in California, a person acted in lawful self-defense or defense of another if (1) he reasonably believed that he or someone else was in imminent danger of being killed or suffering great bodily injury; (2) he reasonably believed that the immediate use of deadly force was necessary to defend against that danger; and (3) he used no more force than was reasonably necessary to defend against that danger. CALCRIM No. 505. The People have the burden of proving beyond a reasonable doubt that a person did not act in lawful self-defense or defense of another. If the People fail to meet this burden, a jury must find the defendant not guilty. CALCRIM No. 3470.

In protecting himself or another, a person may use all the force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALCRIM No. 3470. If the person's beliefs were reasonable, the danger the person perceived need not to have actually existed. *Id.*

In evaluating whether a police officer's use of force was reasonable, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than the 20/20 vision of hindsight...The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

[1] "Pacas" is a sobriquet for the "Pacoima 13" criminal street gang.

When the deputies contacted Lopez, Delia concluded Lopez was not concerned about avoiding apprehension because he did not avail himself of open avenues of escape. Instead, Lopez armed himself with a knife. Lopez created a threat to Delia by aggressively approaching him with the knife. Delia gave Lopez multiple reasonable opportunities to end the threat by repeatedly issuing instructions to disarm himself and stop approaching Delia. Delia held his fire until Lopez advanced close enough to put Delia in fear of imminently suffering great bodily injury or death. Lopez' actions reasonably put Delia in fear and Delia's decision to use deadly force to stop the imminent threat Lopez posed was reasonable under the circumstances.

CONCLUSION

We find that Sergeant Delia acted lawfully in self-defense when he used deadly force against Steven Lopez, Jr.

SH-AD-32A (8/17)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service Since 1850"

DATE: February 27, 2023

FILE NO: 019-03454-1122-056

OFFICE CORRESPONDENCE

FROM: YOLANDA R. FIGUEROA, COMMANDER
SOUTH PATROL DIVISION

TO: JOHN J. LECRIVAIN, CAPTAIN
LANCASTER STATION

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2475658
Incident:	Hit Shooting
Incident Date:	February 17, 2019
Unit:	Lancaster Station
Suspect(s):	Steven Lopez , MH/112182
Involved Employees:	Deputy Daniel Rafael, #[redacted] Deputy Jesus Chamorro, #[redacted]
EFRC Date:	February 16, 2023
Statute Date:	April 23, 2023

The Executive Force Review Committee (EFRC) consisting of Commanders Rodney K. Moore, Alfred M. Reyes, and Yolanda R. Figueroa (Chair) met and reviewed the above case.

FINDINGS:

The EFRC Panel determined the tactics used by Deputies Rafael and Chamorro were within Department policy.

The Panel noted the tactic of dragging the suspect away from the weapon after he had been shot was unconventional, but necessary to enable paramedics to provide medical care.

RECOMMENDATIONS:



Based on an assessment of the facts of this incident, the Panel had no recommendations regarding Deputies Rafael and Chamorro.

North Patrol Division Chief Dennis Kneer concurred with the Panel's findings and recommendations.

YRF:DJW:djw

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EFRC Date:	February 16, 2023
Statute Date:	April 23, 2023

The Executive Force Review Committee (EFRC) consisting of Commanders Rodney K. Moore, Alfred M. Reyes, and Yolanda R. Figueroa (Chair) met and reviewed the above case.

FINDINGS:

The EFRC Panel determined the force used by Sergeant Delia was within Department policy.

The Panel determined the tactics used by Sergeant Delia were not within Department policy.

The facts of this investigation support the following regarding Sergeant Delia's tactics:

1. That in violation of the Department's Manual of Policy and



Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders [as it pertains to Manual of Policy and Procedures Section 3-10/150.00, Tactical Incidents]; and/or 3-01/050.10, Performance to Standards, on or about February 17, 2019, while on-duty and assigned to Lancaster Station, Subject Anthony J. Delia failed to conform to the standards established for his rank of sergeant and/or failed to perform his duties in a manner which would tend to establish and maintain the highest standard of efficiency in carrying out the functions and objectives of the Department, when he used tactics which failed to comply with Department policies, and/or procedures, and/or training, by failing to formulate a sound tactical plan prior to contacting a suspect known to be armed with a knife.

RECOMMENDATIONS:

Based on the facts of this incident and an assessment of mitigating and aggravating factors, the Panel determined the policy violation was a training issue and had no recommendation for discipline.

The Panel recommended Sergeant Delia attend the following Department training courses:

- Tactics and Survival III – Force for Supervisors
- High Risk Contacts/Post PIT – [Key point: high risk encounters]

North Patrol Division Chief Dennis Kneer concurred with the Panel's findings and recommendations.

YRF:DJW:djw